

Memorandum

To: Executives and Administrators

Date November 7, 2006

From: Margaret S. Shedd
Legislative Counsel

Subject: 2006 Administrative Legislation

Administrative bills enacted in 2006 that are of general interest to the Board or have a general statewide impact on all state agencies and/or employees are summarized below. Unless otherwise noted, the new legislation is effective January 1, 2007.

AB 339 (Harman) Chapter 495 – Limited Partnership Act of 2008

Revises and recasts provisions of existing law that sets forth rules of organization and governance for limited partnerships by enacting the Limited Partnership Act of 2008.

AB 546 (Garcia) Chapter 848 – State Computers: Prohibited Use: Obscene Matter

Makes it unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to knowingly use a state-owned or state-leased computer to access, view, download, or otherwise obtain obscene matter, except for specified purposes.

AB 1207 (Yee) Chapter 551 – Code of Fair Campaign Practices

Revises the pledge to prohibit the individual, in the conduct of his or her campaign, from using a candidate's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, including gender identity, or any other specified characteristic.

AB 1302 (J. Horton) Chapter 713 – Emergency Regulations

Requires an agency adopting an emergency regulation to send at least 5 working days prior to submission of an emergency regulation, a notice of proposed emergency action to every person who has filed a request for notice of regulatory action with the agency unless delaying action to allow public comment would be against the public interest.

AB 1369 (Nunez) Chapter 209 – State Employees: Memoranda of Understanding

Approves provisions requiring the expenditure of funds of memoranda of understanding entered into between state employers and bargaining units 1, 3, 4, 11, 14, 15, 17, 20, and 21.

Effective September 6, 2006

AB 1602 (Laird) Chapter 556 – Local Government Finance

Changes the manner in which the population of a city or county or city and county that meets certain criteria, is determined for purposes of allocation under the Vehicle License Law, the Motor Vehicle Fuel Tax Law, the Use Fuel Tax Law and the Diesel Fuel Tax Law.

AB 1809 (Assembly Committee on Budget) Chapter 49 – Tax Expenditure Reports

Requires the Department of Finance, beginning January 1, 2007, provide a report to the Legislature by September 15 of each year on tax expenditures exceeding \$5 million annually including, but not limited to, the statutory authority and description of the legislative intent, and information on sales and use tax expenditures.

Effective June 30, 2006, but operative January 1, 2007

AB 2098 (Liu) Chapter 818 – State Government: Electronic Funds Transfer Task Force

Establishes an eight member Task Force, including a representative from the Board, to report to the Legislature on a plan for an EFT payment dispersal system.

AB 2241 (Assembly Public Employees, Retirement and Social Security Committee) Chapter 216 – State Civil Service: Skills-Based Certification

Permits the State Personnel Board (SPB) to authorize the use of skills-based certification for information technology classifications, if specified conditions are satisfied. Requires the SPB to promulgate regulations specifying how skills-based certification shall be implemented.

AB 2544 (Pavley) Chapter 862 – Public Employee Health Benefits

Authorizes a lesser monthly employer contribution for annuities only if that contribution is annually increased to equal an amount not less than the number of years that the contracting agency has been subject to that provision multiplied by 5% of the current monthly employer contribution for employees, which increase shall not exceed a specified amount.

AB 2591 (Keene) Chapter 506 – State Agencies: Accounts Receivable

Requires certain state agencies, including the Board, to prepare annual reports identifying accounts receivables that are valid and collectible for 180 or more days and efforts to collect these accounts. Provides that the report would be prepared only if sufficient existing resources are available.

AB 2715 (Runner) Chapter 423 – State Tax Liens

Clarifies that state tax lien information can be transmitted electronically to a County Recorder or the Secretary of State.

Effective September 22, 2006

AB 2936 (Ridley-Thomas) Chapter 240 – Excluded Employee Pay Raise

Contains appropriation for pay raise for various state supervisors and managers.

Effective September 13, 2006

SB 834 (Figueroa) Chapter 533 – Information Technology

Makes the statutory codification changes to the law that established the Department of Technology Services that were made necessary by the Governor's Reorganization Plan No. 2 that took effect on a specified date. Establishes in state government the office of State Chief Information Officer, to be appointed by the Governor.

SB 1441 (Kuehl) Chapter 182 – Discrimination: State Programs and Activities

Relates to existing law that prohibits discrimination against any person in any program or activity conducted, operated, or administered by the state or by any state agency, or that is funded by the state, or that receives financial assistance from the state. Adds sexual orientation to these provisions and defines for these purposes sex and sexual orientation. Expands the definition of discrimination to include a perception that a person has any of these enumerated characteristics.

SB 1452 (Speier) Chapter 452 – State Audits

Requires state and local internal auditors to conduct their work under the general and specified standards prescribed by the Institute of Internal Auditors or the Government Auditing Standards issued by the Comptroller General of the United States. Requires the State Auditor to request that any state or local, or any publicly created agency, that is subject to an audit to provide updates on its progress in implementing any recommendations.

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